IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

WP(C).No. 17393 of 2005(U)

PETITIONER:

DR. ARAVINDAN,
PROPRIETOR, M/S. ARAVIND MEDICAL CENTRE,
CHAVARA, KOLLAM.

BY ADV. SRI.R.BINDU (SASTHAMANGALAM)

RESPONDENTS:

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1. THE REGIONAL PROVIDENT FUND COMMISSIONER
BHAVISHYANIDHI BHAVAN, PATTOM, TRIVANDRUM.

2. THE EMPLOYEES PROVIDENT FUND APPELLATE
TRIBUNAL, NEW DELHI.

BY ADV. SRI.N.N. SUGUNAPALAN, SC, P.F.
SRI.S.SUJIN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)NO.17393 OF 2005.

EXT.P1: TRUE COPY OF THE ORDER PASSED BY THE 1ST RESPONDENT DATED 22.4.1996.

EXT.P2: TRUE COPY OF THE JUDGMENT PASSED BY THIS HONOUORABLE COURT IN O.P.NO.8324 OF 1997 DATED 19.3.2004.

EXT.P3: TRUE COPY OF THE ORDER PASSED BY THE 2ND RESPONDENT DATED 22.2.2005.

EXT.P4: TRUE COPY OF THE PROCEEDINGS ISSUED BY THE 1ST RESPON DENT DATED 7.5.2007.

EXT.P5: TRUE COPY OF THE APPEAL FILED BY THE PETITIONER DATED 23.05.2007

RESPONENTS EXHIBITS

EXT.R1(A): TRUE COPY OF THE LIST FURNISHED BY SMT. AMBIKA WIFE OF THE PETITIONER.

EXT.R1(B): TRUE COPY OF THE ENFORCEMENT OFFICER'S STATEMENT OF THE PETITIONER'S ADVOCATE.

TRUE COPY

PA TO JUDGE.

S. SIRI JAGAN, J.

W.P.(C)NO. 17393 OF 2007

DATED THIS THE 22nd DAY OF AUGUST, 2007

JUDGMENT

Against the impugned order in this writ petition the petitioner has filed Ext.P5 appeal produced along with I.A.No.11566/07. The petitioner now confines his reliefs for a direction to the Appellate Tribunal to consider the same and pass appropriate orders thereon expeditiously.

2. In the facts and circumstances of the case, I direct the Employees Provident Fund Appellate Tribunal, New Delhi to consider and pass appropriate orders on Ext.P5 as expeditiously as possible, at any rate, within four months from the date of receipt of a copy of this judgment. Pending disposal of Ext.P5, the petitioner shall pay an amount of Rs.4 lakhs, which would be accepted as payment for dispensing with pre-deposit of the contributions as required under Section 7-O of the Employees Provident Fund and Miscellaneous Provisions Act. On the above condition there would be a stay of recovery of the balance amount.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

Acd